STATE OF NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD

IN THE MATTER OF)	
PROPOSED NEW REGULATION)	
20.2.50 NMAC)	
)	NO. EIB-21-27 (R)
Oil and Gas Sector–Ozone Precursor Pollutants)	

INDEPENDENT PETROLEUM ASSOCIATION OF NEW MEXICO'S NOTICE OF INTENT TO PRESENT REBUTTAL TECHNICAL TESTIMONY

The Independent Petroleum Association of New Mexico ("IPANM"), pursuant to 20.1.1.302 NMAC and the Procedural Order, issued August 25, 2021, submits this Notice of Intent to Present Rebuttal Technical Testimony.

1. <u>Identify each technical witness the person intends to present.</u>

IPANM expects to offer the following witnesses to present rebuttal technical testimony at the hearing:

- a. Ryan Davis
- b. David Brown
- c. Doug Blewitt

2. Include a copy of the rebuttal testimony of each technical witness.

A copy of the rebuttal testimony of each IPANM technical witness identified above is attached and designated IPANM Exhibits 10, 11, and 12.

3. <u>Include the text of any recommended modifications to the proposed</u>

regulatory change.

IPANM's revised proposed modifications to the NMED's proposed adoption of 20.2.50 NMAC, as provided in NMED's Petition for Regulatory Change, submitted May 4, 2021, are attached as **IPANM Exhibit 13**.

4. <u>List and attach all exhibits anticipated to be offered at the hearing.</u>

IPANM intends to offer the following rebuttal exhibits at the hearing.

Reference	Exhibit	IPANM Bates Range
IPANM Exhibit	Rebuttal testimony of R. Davis	203-232
IPANM Exhibit 11	Rebuttal testimony of D. Brown	233-260
IPANM Exhibit 12	Rebuttal testimony of D. Blewitt	261-299
IPANM Exhibit 13	Spirit Environmental Report	300-312

The above-listed exhibits are included with this Notice of Intent.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/ Louis W. Rose

Louis W. Rose

Kari Olson

Ricardo S. Gonzales

Post Office Box 2307

Santa Fe, New Mexico 87504-2307

(505) 982-3873

lrose@montand.com

kolson@montand.com

rgonzales@montand.com

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2021, a copy of the foregoing *Notice of Intent to Present Rebuttal Technical Testimony* was served via electronic mail on the following:

Pamela Jones, Hearing Administrator Environmental Improvement Board pamela.jones@state.nm.us

Administrator for the Environmental Improvement Board

Tannis Fox Western Environmental Law Center fox@westemlaw.org

David R. Baake Baake Law LLC david@baakelaw.com

Attorneys for Conservation Voters New Mexico, Dine C.A.R.E., Earthworks, Natural Resources Defense Council, San Juan Citizens Alliance, Sierra Club, and 350 New Mexico

Elizabeth deLone Paranhos deLone Law Inc.
elizabeth@delonelaw.com

Attorney for Environmental Defense Fund

Karla Soloria New Mexico Office of the Attorney General

ksoloria@nmag.gov

Counsel for the Environmental Improvement

Board

Ana Maria Gutierrez
Hogan Lovells US LLP
ana.gutierrez@hoganlovells.com

Sandra Milena McCarthy
Hogan Lovells US LLP
sandra.mccarthy@hoganlovells.com

Attorneys for Kinder Morgan, Inc., El Paso Natural Gas Company, L.L.C., TransColorado Gas Transmission Co., LLC, and Natural Gas Pipeline Company of America, LLC

Lara Katz, Assistant General Counsel Office of General Counsel New Mexico Environment Department lara.katz@state.nm.us

Andrew P. Knight
Assistant General Counsel
andrew.knight@state.nm.us

Attorneys for the New Mexico Environment Department

Eric L. Hiser
Brandon Curtis
Hiser Joy
ehiser@hiserjoy.com
bcurtis@hiserjoy.com

Dalva L. Moellenberg Gallagher & Kennedy, P.A. DLM@gknet.com

Attorneys for NMOGA

Christopher J. Neumann Gregory R. Tan Casey Shpall Greenberg Traurig, LLP neumannc@gtlaw.com tangr@gtlaw.com shpallc@gtlaw.com

Attorneys for NGL Energy Partners LP; Solaris Water Midstream, LLC; OWL SWD Operating, LLC; and Goodnight Midstream, LLC

Matthias L. Sayer NGL Energy Partners LP Matthias.Sayer@nglep.com

Attorney for NGL Energy Partners LP

Christopher L. Colclasure Beatty & Wozniak, P.C. ccolclasure@bwenergylaw.com

Attorney for 3 Bear Energy, LLC

Matthew A. Nykiel WildEarth Guardians mnykiel@wildearthguardians.org

Daniel L. Timmons
WildEarth Guardians
dtimmons@wildearthguardians.org

J. Scott Janoe
Baker Botts L.L.P.
scott.janoe@bakerbotts.com
Attorney for Oxy USA Inc.

Charles de Saillan New Mexico Environmental Law Center cdesaillan@nmelc.org

Daniel Jaynes, clinical law student
Keifer Johnson, clinical law student
Gabriel Pacyniak, supervising attorney
Natural Resources & Environmental Law
Clinic University of New Mexico
jaynesda@law.unm.edu
johnsoke@law.unm.edu
pacyniak@law.unm.edu

Counsel for Center for Civic Policy and NAVA Education Project

Jeffrey Holmstead
TimWilkins
Whit Swift
Bracewell LLP
jeff.holmstead@bracewell.com
tim.wilkins@bracewell.com
whit.swift@bracewell.com

Stuart R. Butzier Christina C. Sheehan Modrall, Sperling, Roehl, Harris & Sisk, P.A. srb@modrall.com ccs@modrall.com

Attorneys for The Gas Compressor Association

Lisa Devore, Air Quality Specialist Intermountain Region

<u>Lisa_devore@nps.gov</u>

John Vimont, Branch Chief,

Air Resources Division

<u>John_Vimont@nps.gov</u>

National Park Service

Attorneys for WildEarth Guardians

Leslie Witherspoon, Manager Environmental Programs <u>Witherspoon_leslie_h@solarturbines.com</u> Solar Turbines, Inc. Felicia L. Orth Felicia.L.Orth@gmail.com

Environmental Improvement Board Hearing Officer

By: <u>/s/ Louis W. Rose</u> Louis W. Rose